

**PROCEEDINGS BEFORE THE BOARD OF EDUCATION OF THE CHICAGO PUBLIC SCHOOLS**

**INDEPENDENT HEARING OFFICER'S REPORT**

**RE: THE PROPOSED CLOSURE OF MAYO ELEMENTARY SCHOOL AND THE RELOCATION OF  
IDA B. WELLS PREPARATORY ELEMENTARY ACADEMY**

This report is written in compliance with 105 ILCS 5/34-230 and 234, the Statute which sets out the procedures the Chief Executive officer and the appointed independent Hearing Officer must follow when the Chief Executive Officer (CEO) proposes to close and relocate schools. The statute also requires the CEO to comply with The Guidelines for School Action for the 2012-2013 school year. In preparation for this report, the following documents have been reviewed:

1. All documents in the Hearing Binder presented by the CEO and admitted into evidence as Board Exhibit 1. The Table of Contents is attached to this Order as Exhibit 1.
2. The Illinois School Report Cards issued by the State of Illinois for both Mayo and Wells Elementary Schools.
3. Website information provided by the Board of Education listing 2012 Progress Reports for Mayo and Wells Elementary.
4. Transcript of the public hearing held at the Board of Education Offices on April 22, 2013
5. 105 ILCS 5/34 – 225 School transition Plans, effective November 30, 2012.
6. Guidelines for School Actions, 2012 – 2013 School Year (Issued November 30, 2012).

**NOTICE STANDARDS**

**Illinois statute 105 ILCD 5/34 – 225** was amended effective November 30, 2012. The law governs the notice requirements applying to school transitions plans. It requires the Chief Executive Officer (CEO) of a school district to prepare and implement a school transition plan that identifies and commits specific resources for implementation of the transition for the entire academic year commencing after Board approval of the school action. The statute requires the CEO to include in the plan "services to support the academic, social, and emotional needs of students and support for students with disabilities..." It could be interpreted by some that the statutes only requires such a plan to be formulated and published after the school board has approved a school action that is subject to the law.

The Chicago Public School system much to its credit adopted Guidelines for the 2012-2013 school year which contain a higher standard as to the contents of a transition plan which is made available to the affected parents, teachers, administrators and other stakeholders. The Guidelines acknowledge that parents need concrete information about such important factors as student/teacher ratios; number of classrooms needed for programming, the impact the consolidation will have on special education and the known risks that accompany merging two schools which are performing at academic rates which are far below average.

For convenience the relevant section of the Guidelines is set out here:

Notice of any proposed school action will be provided to the principal, staff, local council, parents or guardians, Illinois State Senator, Illinois State Representative, and Alderman for the school or schools that are subject to the proposed school action.

Notice will include date, time and place of public meetings being held to elicit public comment on the proposal.

Along with notice of the CEO's proposal, the CEO will issue a draft school transition plan dependent on the unique circumstances of the proposed school action. The draft school plan will include, but is not limited to the following: (1) Services to support the academic, social and emotional needs of students; supports for student with disabilities, homeless students and English language learners; and support to address security and safety issues ; (2) options to enroll in higher performing schools;(3) informational briefings regarding the choice of schools that include all pertinent information to enable the parent or guardian and child to make an informed choice,...

Unfortunately despite the clearly expressed mandate of the Guidelines, the CEO sent out an identical generic transition plan to all parents in all 50 plus schools subject to closure. No parent or school staff member received a draft plan dependent on the unique circumstances of the proposed school action. Regardless of the obvious differences in the individual schools, each and every parent in every affected school was promised the same thing. Only a computerized change of school names differentiates the letters.

The compilation of plans accounting for the unique circumstances of each school does not require the development of any information that is not readily available to the CPS. The CPS

administrators and the principals of the schools slated for action all readily know the numbers of teachers assigned to each school; the classes they teach; the number of classes for each grade; the number of students in each classroom. Also readily on hand from the same sources is the number of special education students assigned to each school; the number of special education students expected to attend the receiving school. The CPS has years of experience administering special education and knows the number of teachers and classrooms that will be required by the standards for the newly combined schools. All of this information was no doubt reviewed in choosing the schools selected for action, after all there are some areas of the City where all the schools are "underutilized" yet not all schools were selected. The obvious problem is that this information has not been shared by the schools or transmitted to the parents.

### **STATUS OF THE SCHOOLS**

Mayo is a community elementary school. It has been in the same location in Bronzeville for 50 years. It has classes for students from pre-k through 8<sup>th</sup> grade. It has a population of 408 students. During the 2004-2005 school year, its population reached a high of approximately 550. As a community school it serves residents living within its boundaries which are primarily Martin Luther King Drive to State Street and East 35<sup>th</sup> to East 41<sup>st</sup> Street. The students at Mayo are 97.7% Black and 98% are from low income families. Mayo is a level 3 school. It was placed on probation for the 2012-2013 school year. Mayo has 24 before and after school programs and a full preschool program. 35 special education students are enrolled in Mayo.

Wells Preparatory Elementary Academy is a small school with limited enrollment. Wells takes student from anywhere in the District. Parents must fill out a form specifically requesting to enroll their children in Wells. Admission is determined by a lottery. Wells is housed on the top floor of Phillips High School which is directly across Mayo Phillips Park from Mayo Elementary. Wells has a population of 182 students. Wells has been on probation for two years and as with Mayo, its students are rated as performing far below average.

According to community residents who spoke at the community meetings, the Academy for Urban Leadership which administers Phillips has been campaigning to move Wells out of Phillips High School. Two years ago there was a plan to move Wells to Mollison Elementary School. Mollison is currently scheduled for merger with another elementary in the area. The original Ida B. Wells Elementary was apparently demolished around 2005, and Wells was then converted to a limited enrollment school. The CEO has not provided any information as to the

number of classrooms Wells currently operates. The student body is 89.5% Black. 96.6% of the students are from low income homes. Although Wells has a 92.6% attendance rate, the Illinois School Report Card lists it as having a 47.2% chronic truancy rate. This level of chronic truancy exceeds the District and State which have rates of 29.55 and 8.6% respectively. A chronic truancy is defined as nine or more days of unexcused absences during the school year.

### **Community Response Testimony Transcribed on April 9, 13 and 22, 2013**

The Board of education conducted community hearings on April 9<sup>th</sup> and 13<sup>th</sup>, 2013 at Kenwood High School. Transcripts of those hearings are included in the Board Book at Section C, Tabs 17 and 19. At those public hearings the Board representatives passed out summaries of the proposed actions in an abbreviated form. No explanation of the School Utilization Formula or the analysis of the district's method to measure academic achievement was presented. The main function of the meetings was to give the affected parents, children and teachers a forum to express their opinions about the proposed closure without revealing how the data being relied upon actually would affect the closure and relocation of their particular schools.. There was no dialogue or question and answer session at either meeting.

At the April 9<sup>th</sup> community meeting, two teachers from Wells Academy participated in the session and expressed their willingness to be leaders in the new Wells School location. They reported that the Wells parents had several meetings about the proposal and were concerned that academic rigor is maintained and that the student/teacher ratio not be increased. The parents were reported to be excited about the new facility where they expect to have more opportunities than in their current location. A student from Wells spoke who said she was looking forward to not sharing a gymnasium with high school students.

The vast number of speakers at both community meetings consisted of teachers, parents and students from Mayo Elementary. The comments were uniformly negative. The speakers stressed the place Mayo Elementary has had in the Bronzeville Community for 50 years. Speakers noted that generations of families have graduated students from Mayo. The School has strong community ties going back those 50 years. Witnesses for Mayo commented on how welcoming and helpful the faculty and staff are to the students. The parents said they felt their children were safe in Mayo School

Speakers for Mayo noted the differences between a limited enrollment small school and a neighborhood elementary school and asked how two such differently oriented schools could be compared. Speakers questioned the capability of the Wells staff to handle a much larger community school considering that Wells has been on probation for two years. Nothing is known about the experience of the administration and teaching staff of Wells in a community elementary school. Speakers also questioned how the Wells staff could handle two schools on probation when their own small school has been on probation longer and is rated as performing so poorly. At the April 13<sup>th</sup> community a speaker referenced a 2009 University of Chicago study which stated that if school closures and relocations are to be successful, the welcoming school should have a significantly higher academic standing.

A complaint was made by one of the Mayo teachers at the April community meeting that charter schools had been actively recruiting high achieving seventh and eighth graders from Mayo which has had a negative effect on the school's academic achievement records. The CPS School Progress Report states that only 12.5% of eighth grades at Mayo perform at the national average in reading and math which is the lowest average by grade in the entire school. The State School Report Card does not reflect such a dramatic drop in performance but does show that reading and math scores drop after sixth grade. The State Report Cards shows fairly comparable scores for the tested grades 3 through 6 for both Wells and Mayo students, but Wells performs better in both categories in 7<sup>th</sup> and 8<sup>th</sup> grade. Neither report shows enrollment by grade so it is impossible from the available information to verify whether higher performing 7<sup>th</sup> and 8<sup>th</sup> graders have been recruited out of Mayo. The testimony of the Mayo teacher and the decline in test scores after sixth grade lends supports that conclusion.

According to the State School Report Card for 2012, Mayo has 35 special education students enrolled for the 2012 school year. Wells has ten children enrolled in special education. If the school populations are combined, there is a possibility that the reconfigured Wells Elementary could have as many as 45 special education students. Testimony at the public hearings indicated that some siblings of Wells students who need special education are currently enrolled at Mayo. Wells is a small school and it does not have special education as a priority. It could be that when admitting siblings that Wells does not have available space for special education and it is more convenient for families who cannot enroll siblings with needs at Wells to choose the nearest school which does offer three times the amount of special education, Mayo Elementary.

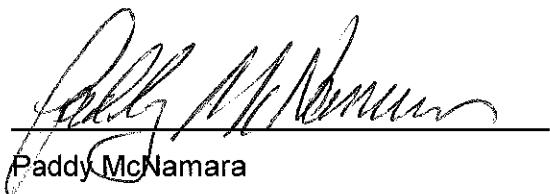
Teachers assigned to Mayo who specialize in special education testified that they had needed a third special education teacher for some time, but it was only when the school was put on probation for the 2010-2013 academic year was one assigned. There was also testimony that space for special education is at a premium with only the current population to consider. There is nothing in the Transition Plan specifically addressing the topic of special education such as how special education classrooms will be allocated in the new combined school. The Transition Plan is a generic document sent to all parents of children facing school closure anywhere within the entire CPS District. A complaint was made about the lack of information which was sent to the parents. A teacher commented at the April 13, 2013 community meeting "My students' parents told me this week that they knew nothing about the school closing. All they knew is that their kids would be in a school and the name change. The email, correspondence and letters sent out to parents had no details on how this transition was going to take place besides offering ipads, technology and air conditioning"

## **FINDINGS**

The guidelines for School Actions 2012-2013 requires that the CEO send a draft transition plan along with the proposed notice of closure which specifically addresses support for students with disabilities. This requirement is important because the school utilization formula deliberately does not factor in ancillary use of classrooms by specific category. The formula has an allocation for classrooms in addition to homerooms, but keeps the use generically flexible so the individual schools can allocate use according to need. Since space is already limited for special education with a smaller enrollment, the transition plan should address this issue. Unless the transition plan actually addresses the specified circumstances in the proposed, closed or relocated schools the information is meaningless. The information which actually was transmitted to the parents can be only regarded as aspirational. It is common knowledge that families with children with special needs have great difficulty in finding schools which have acceptable programs for their children. This has been a factor in both federal funding and federal regulation of special education. In this proposal there is no information as to such basics as staffing and sufficient space which is essential for parents to know in order to adequately address their options.

The failure to follow the CPS School Action Guidelines 2012 – 2013 is a fatal impediment to the closing of Mayo School. The lack of information applying to the unique circumstances involving the closure of Mayo and the relocation of Wells prevented parents and students from being able to make informed decisions as to whether to exercise their options to stay with their schools or apply to a higher performing school elsewhere in the School District.

Dated this 2<sup>nd</sup> day of May, 2013



Paddy McNamara  
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